

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:20-cv-00286-MR**

<b>JOHN THOMAS JONES, III,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>TONI SELLERS HAIRE, et al.,</b>	)	<b><u>ORDER</u></b>
	)	
<b>Defendants.</b>	)	
<hr/>	)	

**THIS MATTER** is before the Court on Plaintiff's Motion to Supplement Complaint [Doc. 26].

The *pro se* incarcerated Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983 addressing incidents that allegedly occurred at the Lanesboro Correctional Institution. The Complaint passed initial review against several Defendants including Jane Doe, the prison's head nurse who has now been identified as Toni Sellers Haire. [See Doc. 11]. Plaintiff has now filed the instant Motion to Supplement in which he seeks to assert a claim against another Jane Doe nurse. [Doc. 26].

A plaintiff may amend the complaint once as a matter of course within 21 days after serving the complaint, or within 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b),

(e), or (f), which is earlier. Fed. R. Civ. P. 15(a)(1). A plaintiff may subsequently amend with permission from the court which “shall be freely granted when justice so requires.” Fed. R. Civ. P. 15(a)(2).

The Plaintiff seeks to add a Jane Doe nurse as a defendant, but he she was not named as a Defendant in the original Complaint and the Plaintiff has not filed a proposed Amended Complaint. The Motion to Supplement will be denied because piecemeal amendment will not be permitted. However, this denial is without prejudice for Plaintiff to amend his Complaint within thirty (30) days of this Order. The Plaintiff must submit his Amended Complaint on a § 1983 form, clearly identify all the Defendants against whom he intends to proceed, and set forth facts describing how each of the Defendants allegedly violated his rights. See generally Fed. R. Civ. P. 10(a). Any Amended Complaint will be subject to all timeliness and procedural requirements and will supersede the Complaint. If the Plaintiff fails to timely amend his Complaint in accordance with this Order, the Court will proceed on his original Complaint [Doc. No. 1].

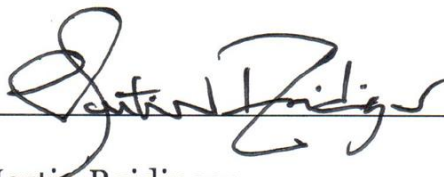
**IT IS, THEREFORE, ORDERED** that Plaintiff’s Motion to Supplement Complaint [Doc. 26] is **DENIED** without prejudice for the Plaintiff to amend his Complaint within **thirty (30) days** in accordance with the terms of this Order. If Plaintiff fails to amend the Complaint in accordance with this Order

and within the time limit set by the Court, this action will proceed on the original Complaint [Doc. 1].

The Clerk is instructed to mail Plaintiff a blank prisoner § 1983 complaint form along with a copy of this Order.

**IT IS SO ORDERED.**

Signed: February 1, 2021

  
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Martin Reidinger  
Chief United States District Judge

